

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**

PATENT

TRANSMITTAL OF MISSING PARTS FOR PATENT APPLICATION

Applicant:	Chikashi INOKUCHI, et al.	Docket No.:	28569.8300
Serial No.:	09/763,277	Priority Date:	20 August 1998
Int'l Filing Date:	20 August 1999	Group Art Unit:	To be assigned
TITLE:	LASER POWER CONTROL DEVICE AND OPTICAL DISK APPARATUS	Examiner:	To be assigned

United States Patent and Trademark Office
Box PCT
Washington, D.C. 20231

Sir:

In response to the Notification of Missing Requirements mailed on March 14, 2001, in the above-identified application, enclosed herewith are the missing parts needed to complete filing of the subject patent application, along with fees calculated as follows:

Fee Calculation

Basic Nat'l Fee (\$860) + surcharge (\$130)					=	\$990.00
Total Claims	3	minus	20	=	0	x \$ 18.00 =
Independent Claims	1	minus	3	=	0	x \$ 78.00 =
Multiple dependent claim fee, if applicable						\$270.00 =
Fee calculation, request for extension of time pursuant to 37 C.F.R. §1.136(a)						
[X] Missing parts filed within first month after due date – add					\$ 110.00	+ \$110.00
[] Missing parts filed within second month after due date – add					\$ 390.00	+ N/A
[] Missing parts filed within third month after due date – add					\$ 890.00	+ N/A
[] Missing parts filed within fourth month after due date – add					\$1390.00	+ N/A
[] Missing parts filed within fifth month after due date – add					\$1890.00	+ N/A
Subtotal:						\$1,100.00
If “small entity” applies, enter half (1/2) of the Subtotal and subtract.						N/A
[X] Fees of \$860.00 for the Basic Nat'l Fee due at the time of filing, plus the \$130.00 surcharge due for late filing of the Oath/Declaration, were paid at filing by Snell & Wilmer Deposit Account No. 19-2814						-990.00
Add: Fee (\$40.00) for recording assignment and other fee(s):						40.00
SUBTOTAL:						\$150.00
TOTAL FEES ENCLOSED:						\$150.00

Manner of Payment

- [X] Snell & Wilmer check no. 284880 in the amount of \$ 150.00 is enclosed.
- [X] Please charge Deposit Account No. 19-2814 for deficiencies only or credit overpayments in the enclosed fees. A duplicate copy of this sheet is attached.

Small Entity Status

- [] Verified Statement Claiming Small Entity Status (37 CFR 1.9(f) and 1.27(c)) – Small Business Concern is enclosed.

Assignment

- [X] An Assignment of this application, along with Recordation Cover Sheet, is enclosed. Please record the Assignment and return the recorded Assignment to the undersigned attorney.

This statement does NOT authorize charge of the issue fee. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any deficiency in the fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under 37 C.F.R. §§1.16-1.17 (deficiency only) now or hereafter relative to this Application and the resulting Official document under 37 C.F.R. §1.20, or credit any overpayment to Account No. 19-2814 for which purpose a duplicate copy of this sheet is attached.

The Patent and Trademark Office is respectfully requested to send a filing receipt for this application to the undersigned attorney and forward the application for examination.

Respectfully submitted,

DATED: May 11, 2001

By Michael K. Kelly
Michael K. Kelly
Reg. No. 32,848

SNELL & WILMER, L.L.P.
One Arizona Center
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FORM PTO-1390 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (REV 11-98)		ATTORNEY'S DOCKET NUMBER 28569.8300
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 09/763,277
INTERNATIONAL APPLICATION NO. PCT/JP99/04506	INTERNATIONAL FILING DATE 20 August 1999	PRIORITY DATE CLAIMED 20 August 1998
TITLE OF INVENTION LASER POWER CONTROL DEVICE AND OPTICAL DISK APPARATUS		
APPLICANT(S) FOR DO/EO/US Chikashi INOKUCHI, et al.		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> 1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1). 4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date. 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2)) <ol style="list-style-type: none"> a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> has been transmitted by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)). 7. <input type="checkbox"/> A copy of the International Search Report (PCT/ISA/210). 8. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3)) <ol style="list-style-type: none"> a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau). b. <input type="checkbox"/> have been transmitted by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 10. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)). 11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409). 12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)). <p>Items 13 to 20 below concern document(s) or information included:</p> <ol style="list-style-type: none"> 13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 14. <input checked="" type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 15. <input type="checkbox"/> A FIRST preliminary amendment. 16. <input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment. 17. <input type="checkbox"/> A substitute specification. 18. <input type="checkbox"/> A change of power of attorney and/or address letter. 19. <input type="checkbox"/> Certificate of Mailing by Express Mail 20. <input checked="" type="checkbox"/> Other items or information: 		
Transmittal of Missing Parts for Patent Application with Request for Extension of Time Return Postcard		

U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR 1.5) 09/763,277		INTERNATIONAL APPLICATION NO. PCT/JP99/04506		ATTORNEY'S DOCKET NUMBER 28569.8300	
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21. The following fees are submitted: BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) : <ul style="list-style-type: none"> <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1,000.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO \$860.00 <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$710.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$690.00 <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00 				CALCULATIONS PTO USE ONLY	
ENTER APPROPRIATE BASIC FEE AMOUNT =				\$0.00	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).				\$0.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	- 20 =	0	x \$18.00	\$0.00	
Independent claims	- 3 =	0	x \$80.00	\$0.00	
Multiple Dependent Claims (check if applicable). <input type="checkbox"/>				\$0.00	
TOTAL OF ABOVE CALCULATIONS =				\$0.00	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable). <input type="checkbox"/>				\$0.00	
SUBTOTAL =				\$0.00	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).				\$0.00	
TOTAL NATIONAL FEE =				\$0.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) (check if applicable). <input checked="" type="checkbox"/>				\$40.00	
TOTAL FEES ENCLOSED =				\$40.00	
				Amount to be refunded	\$
				charged	\$

☒ A check in the amount of **\$150.00** to cover the above fees is enclosed.

☐ Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees.
 A duplicate copy of this sheet is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **19-2814** A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

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 400 E. Van Buren Street
 Phoenix, AZ 85004-2202
 P: (602) 382-6291
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SIGNATURE

Michael K. Kelly
 NAME

32,848
 REGISTRATION NUMBER

May 11, 2001
 DATE

09/763277



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

Address: ASSISTANT COMMISSIONER FOR PATENTS

Box PCT

Washington, D.C. 20231

C

28569.8300

09/763,277

U.S. APPLICATION NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

MICHAEL K KELLY
SNELL & WILMER
ONE ARIZONA CENTER
400 E VAN BUREN STREET
PHOENIX AZ 85004-2202

5611

PCT/JP99/04506

INTERNATIONAL APPLICATION NO.

U.S. FILING DATE 08/20/98 PRIORITY DATE 08/20/98

03/14/01

DATE MAILED:

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.494),
☒ an Elected Office (37 CFR 1.495):

☒ U.S. Basic National Fee.

☒ Copy of the international application in:

- ☒ non-English language.
☐ English.

☒ Translation of the international application into English.

☒ Oath or Declaration of inventors(s) for DO/EO/US.

☒ Copy of Article 19 amendments.

☒ Translation of Article 19 amendments into English.

☐ The International Preliminary Examination Report in English and its Annexes, if any.

☐ Translation of Annexes to the International Preliminary Examination Report into English.

☒ Preliminary amendment(s) filed 20 Feb 01 and

☐ Information Disclosure Statement(s) filed and

☐ Assignment document.

☒ Power of Attorney and/or Change of Address.

☐ Substitute specification filed

☐ Statement Claiming Small Entity Status.

☒ Priority Document.

☒ Copy of the International Search Report and copies of the references cited therein.

☐ Other:

2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.

☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.

- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).

☒ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.

- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice *MUST* be returned with this response.

Enclosed: ☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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Noted for new at. Res due 4-14-01